

REMARKS/ARGUMENTS

By this amendment, claim 1 was amended to incorporate the subject matter of claim 2 and to clarify that the invention includes at least two separate deflectors. Claim 2 has been cancelled without prejudice. No new matter is added.

Claim Rejections – 35 USC § 112. The Office Action rejected claims 9, 19, and 20 under Section 112, second paragraph. These claims refer to “the deflectors,” and according to the Examiner, claim 1 only recites “a deflector.” Original claim 1 recites “at least two airbags” and “wherein each airbag is sealed against the other airbag by means of a deflector inserted therein.” If each of the two airbags has a deflector inserted therein, then claim 1 inherently recites at least two deflectors, one deflector for each airbag. Nevertheless, to reduce issues, claim 1 has been amended to clearly provide antecedent basis for “the deflectors.” Withdrawal of the rejection is respectfully requested.

Claim Rejections – 35 USC § 102. The Office Action rejected claims 1, 2, 4, 7, 9, 10, 12, 14, 19, and 20 under Section 102(b) as being anticipated by Kitagawa et al. (U.S. Patent 5,312,131). Applicants respectfully submit that claim 1 is not anticipated by Kitagawa et al.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” M.P.E.P. § 2131 (E8, May 2004) (*quoting Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). “The identical invention must be shown in as complete detail as is contained in the . . . claim.” *Id.* (*quoting Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)). In addition, “the reference must be enabling and describe the applicant’s claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.” *In re Paulsen*, 30 F.3d 1475, 1479, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

Claim 1 recites an airbag system for jointly supporting at least two vehicle occupants having at least two separate airbags, a common gas generator connected to the airbags, at least two separate deflectors, wherein each airbag is sealed against the other airbag by means of at least one deflector inserted therein, and a common housing arranged in the dashboard of the motor vehicle. Claim 1 further recites that the at least two airbags are deployed from the

common housing in the same direction. The term direction means “the line or course on which something is moving or is aimed to move or along which something is pointing or facing.”

Webster’s Ninth New Collegiate Dictionary.

Kitigawa discloses an airbag system to protect occupant knees. The airbag device is arranged at a widthwise center portion of the vehicle. It includes two airbags, one which is deployed in a zone in front of the right-hand seat of the vehicle and the other which is deployed in a zone in front of the left-hand seat of the vehicle. As illustrated in Figure 4, Kitigawa’s airbags are deployed in opposite directions. That is, Kitigawa’s airbags are “aimed to move” or “point” or “face” or “move” in opposite directions. Kitigawa’s airbags are not deployed in the same direction.

In addition, Kitigawa fails to disclose any deflector. More specifically, Kitigawa fails to disclose any deflector inserted within each airbag, especially the feature “wherein each airbag is sealed against the other airbag by means of at least one deflector inserted therein.” The Office Action states that Kitigawa’s retainer or mounting plate **26** is the claimed deflector. Kitigawa states that the inflator **36** is mounted on the retainer **26**. Kitigawa further states that the first airbag **28** and the second airbag **30** are mounted on the retainer. If the Kitigawa’s inflator and the first and second airbags are mounted on the retainer, then the mounting plate **26** cannot be inserted within each airbag as recited in claim 1.

In view of the foregoing remarks, Applicants submit that amended claim 1 and its associated dependent claims 4, 7, 9, 10, 12, 14, 19, and 20 are not anticipated by Kitigawa et al. Applicants respectfully request withdrawal of this rejection and allowance of claims 4, 7, 9, 10, 12, 14, 19, and 20.

Claim Rejections – 35 USC § 103. The Office Action rejected claims 3, 5, 6, 8, 11, 13, 15-18 under Section 103(a) as being unpatentable over Kitigawa et al., combined with either Lutter (DE 19712511 A1), Sinnhuber et al. (U.S. Patent 5,556,128), or Albright et al. (U.S. Patent 5,492,367). None of the cited secondary references discloses the claimed features that are missing in Kitigawa et al. Therefore, the combined teachings of Kitigawa et al. and the secondary references fail to disclose each and every feature recited in the rejected claims. Accordingly, Applicants submit that claims 3, 5, 6, 8, 11, 13, 15-18 would not have been obvious

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under Section 103(a). Applicants respectfully request withdrawal of the rejections under Section 103(a) and allowance of claims 3, 5, 6, 8, 11, 13, 15-18.

If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. R. Witt", written over a horizontal line.

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